

DETAILED ACTION

1. Claims 2-7 are pending in the instant application.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 12, 2008 has been entered.

Information Disclosure Statement

3. The information disclosure statements (dated July 14, 2008 and October 2, 2008) were in compliance with the provisions of 37 CFR 1.97 and 37 CFR 1.98. The statements were considered. Signed copies of form 1449 are enclosed herewith.

Response to Amendment/Arguments

4. The claim amendments and remarks filed on September 12, 2008 have been fully considered and are persuasive in overcoming the outstanding 35 USC 112 1st paragraph rejection. See also interview summary dated October 28, 2008. Therefore, the 35 USC 112 1st paragraph rejection is hereby withdrawn.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Li Su on October 29, 2008.

The application has been amended as follows:

Claim 2. On page 3 line 16 after the comma add "and"

On page 3 line 17 delete ", and"

On page 3 line 18 delete " $R^6C(O)OR$ "

Reasons for Allowance

6. The following is an examiner's statement of reasons for allowance. The compounds of Formula II are novel and non-obvious over the prior art. The closest reference is, for example, the disclosure of Barnett et al. (priority date of October 30, 2002) which does not antedate the instant claims (priority date of August 9, 2002).

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUN JAE Y. LOEWE whose telephone number is (571)272-9074. The examiner can normally be reached on M-F 7:30-5:00 Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571)272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sun Jae Y. Loewe/
10-31-2008

/Kamal A Saeed, /
Primary Examiner, Art Unit 1626